

Kaplan, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VRINGO, INC., et ano.

Plaintiffs,

v.

ZTE CORPORATION, et ano.

Defendants

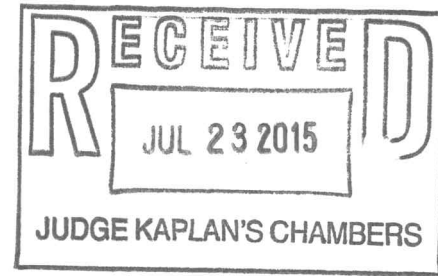
ZTE CORPORATION,

Plaintiff,

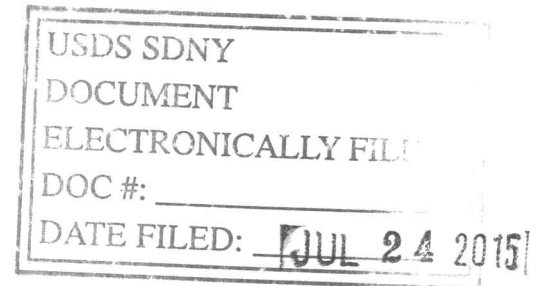
v.

VRINGO, INC., et ano.

Defendants



Civ. No. 14-cv-4988 (LAK)



Civ. No. 15-cv-0986 (LAK)

JOINT STIPULATION FOR EXTENSION OF DISCOVERY

ZTE and Vringo (collectively, "the parties") respectfully submit this joint stipulation for an extension of discovery in the above-captioned cases.

On April 7, 2015, the Court held a pretrial conference and consolidated the above captioned cases for the purposes of pretrial discovery. The April 7, 2015 Order (Dkt. No. 46) established the discovery deadlines for these cases. At the June 23, 2015, conference the parties requested and received a two week extension to the deadline for substantial completion of document production. The parties indicated that they may similarly submit a stipulation requesting an extension to the deadline for completion of discovery. The parties have conferred and hereby submit this stipulation.

The parties are working diligently to complete discovery according to the deadlines set forth in the April 7 Order. Pursuant to that Order, each party represents that it has recently substantially completed their document productions. However, because both parties have produced tens of thousands of pages of responsive documents in the last week, and because some of the produced documents are not in English, the parties respectfully request a reasonable amount of additional time to complete review of each other's respective productions. The parties have also served substantial written discovery requests, and partially responded to written discovery. Vringo also served third party subpoenas and is negotiating with the third parties regarding the scope of responsive information to be produced. The additional time required to review the respective productions and outstanding written discovery responses will also reduce the time for additional deponents to be identified and for the already-noticed depositions to be taken before the completion of fact discovery.

Deposition practice has already begun and other depositions are already scheduled and noticed, but the parties request more time in which to schedule and take depositions of additional fact witnesses that have not yet been scheduled or noticed. In addition, because the depositions of ZTE witnesses require the use of translators and additional days of testimony, additional days are necessary to complete those party depositions. Another complicating factor is that almost all of ZTE's witnesses are located overseas and require visas to travel to the United States. Vringo represents that it will produce all of its deponents for deposition by the requested September 3, 2015 extension date. ZTE represents that it will make all reasonable efforts to produce all of its deponents for deposition by the requested September 3, 2015 extension date. For those witnesses whose deposition must proceed in the United States, to the extent that any of them are not able to obtain visas to travel to the United States by September 3, 2015, ZTE represents that

it will produce those witnesses for deposition in the United States as soon as they are able to obtain the necessary visas.

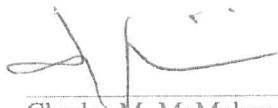
If the Court is willing to grant the additional time for fact discovery, the parties likewise request an extension of roughly equal length for the completion of expert discovery, so as to preserve sufficient time for expert discovery. Therefore, the parties request an extension of the current deadlines for fact and expert discovery as follows:

<u>Date</u>	<u>Event</u>
9/3/2015	Fact Discovery to be completed (with the possible exception of ZTE witnesses with visa issues)
11/5/2015	Opening expert reports to be served by the party bearing the burden of proof on each issue
12/10/2015	Rebuttal expert reports to be served
1/14/2016	Expert discovery to be completed
2/16/2016	Deadline to file dispositive motions

joint pretrial order

Respectfully submitted,

Dated: July 22, 2015



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*Attorneys for ZTE Corporation and ZTE
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*The parties should proceed on the assumption
that there will be no
further extensions.*

SO ORDERED:



Honorable Lewis A. Kaplan
United States District Judge

LM

7/24/15